

09/486298



14538A-004010U> BWP  
 UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: ASSISTANT COMMISSIONER FOR PATENTS  
 Box PCT  
 Washington, D.C. 20231

14538A-00401

COOPER

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

5611

PCT/US98/17384

INTERNATIONAL APPLICATION NO.

I.A. FILING DATE: 10/21/98 PRIORITY DATE: 10/21/97

DATE MAILED:

05/15/00

N POOR  
 TOWNSSEND AND TOWNSEND AND CREW  
 2 EMBARCADERO CENTER  
 8TH FLOOR  
 SAN FRANCISCO CA 94111

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

a Designated Office (37 CFR 1.494),  
 an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.  
 English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_

Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed \_\_\_\_\_

Verified Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report  and copies of the references cited therein.

Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ 78 as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

*A copy of this notice MUST be returned with this response.*

Enclosed:

PCT/DO/EO/917

PTO-875

FORM PCT/DO/EO/905 (December 1997)

Notice of Defective Translation

*John Anderson*  
 Telephone: 703 305-9116

Response Due 6/15/00 me



I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Asst. Commissioner of Patents and Trademarks, Washington, D.C. on August 14, 2000  
By: Kim M. Gopalan

*PCT* 1.  
526 Rec'd PCT/PTO 22 AUG 2000  
09/486293

**PATENT**  
Attorney Docket No. 14538A-004010US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:

Jonathan A. Cooper and Brian W. Howell

Application No.: 09/486,293

Filed: February 22, 2000

For: ISOLATION AND EXPRESSION  
OF A DISABLED PROTEIN GENE  
MdaB1 AND METHODS

Examiner: Not Assigned

Art Unit: Not Assigned

**RESPONSE TO NOTICE  
TO FILE MISSING PARTS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application dated May 15, 2000, enclosed herewith are the following to be made of record in the above-identified patent application:

- (1) Executed Declaration and Power of Attorney;
- (2) Copy of the Notice to File Missing Parts;
- (3) Petition to Extend Time.

The Commissioner is hereby authorized to charge the following fees:

Missing Parts Surcharge.....\$ 65.00

and any additional fees under 37 CFR §1.17 associated with this paper or during the pendency of this application, to Townsend and Townsend and Crew Deposit Account No. 20-1430. Two copies of this sheet are enclosed for accounting purposes.

08/29/2000 AGIZAW 00000048 201430 09486293  
01 FC:216 190.00 CH

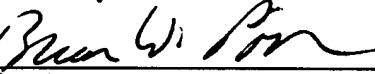
Beverly Torok-Storb et al.  
Application No.: 08/455,577  
Page 2

PATENT

In response to item 3 of the Notification of Missing Requirements, Applicants believe that correct claims fee (8 independent, 5 extra; 35 total, 15 extra = \$660) has been paid. Applicants respectfully request clarification of the requested \$78 fee.

Respectfully submitted,

Dated: 14 August 2003

By: 

Brian W. Poor  
Reg. No. 32,928

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